

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
Martinsburg Division**

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| <b>UNITED STATES OF AMERICA</b> | : |                                 |
|                                 | : |                                 |
| <b>vs.</b>                      | : | <b>Crim. No. 3:20-CR-46</b>     |
|                                 | : |                                 |
| <b>MONROE MERRELL,</b>          | : | <b>Chief Judge Gina M. Groh</b> |
|                                 | : |                                 |
| <b>Defendant.</b>               | : |                                 |
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**ORDER GRANTING MR. MERRELL’S MOTION TO MODIFY ORDER**

Now before the Court is Mr. Merrell’s Motion to Modify Order. Upon review and consideration, and upon the agreement of the United States, the Court finds that the modification is appropriate.

On May 19, 2021, this Court entered an Order Granting Defendant Merrell’s Motion to Modify the Court’s Protective Order [ECF No. 144]. Because of Mr. Merrell’s placement at the time, the Order expressly refers to Tygart Valley Regional Jail (“TVRJ”). Mr. Merrell is now being moved to Potomac Highlands Regional Jail (“PHRJ”). Therefore, the Court’s Order Granting Defendant Merrell’s Motion to Modify the Court’s Protective Order [ECF No. 144] is hereby **MODIFIED as follows**:

1. Pursuant to ¶ 5 of this Court’s Order, a sanitized laptop was prepared by the defense and provided to the Warden at Tygart Valley Regional Jail. This sanitized laptop shall be transported to Potomac Highlands Regional Jail.
2. The restrictions delineated by this Court in ¶ 6 also apply to PHRJ. Specifically, the warden and his correctional officers shall secure the laptop in a place that is not accessible to other inmates when it is not in use by the Defendant. The warden is directed to regularly provide the laptop to the Defendant as much as in practicable

while adhering to the following safety considerations and other policies set forth within the regional jail system. Specifically, there must not be other inmates in the Defendant's presence when reviewing discovery on the sanitized laptop. The Court notes that this is a serious case containing voluminous discovery and thanks the warden and staff at PHRJ for their assistance in ensuring the Defendant's Constitutional rights are respected.

3. As required at TVRJ by ¶ 7 of the Court's previous Order, once the laptop is provided to PHRJ, the password should be kept secure and only known to the Defendant and members of the defense team who are permitted access to discovery materials.

**Subject to the above modifications, the Court's Protective Order [ECF No. 84] and Order Granting Defendant Merrell's Motion to Modify the Court's Protective Order [ECF No. 144] remain in full force and effect.**

The Clerk of Court is DIRECTED to transmit copies of this Order to all counsel of record herein and to the warden at Potomac Highlands Regional Jail.

**DATED:**

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Gina M. Groh  
Chief United States District Judge